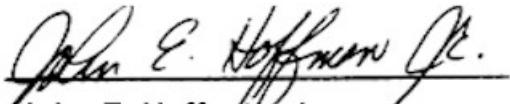


**This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.**

**IT IS SO ORDERED.**



**Dated: December 23, 2019**

  
John E. Hoffman, Jr.  
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

In re:

MURRAY ENERGY HOLDINGS CO., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 19-56885 (JEH)  
(Joint Administration Granted)

Judge John E. Hoffman, Jr.

BLACK DIAMOND COMMERCIAL FINANCE,  
L.L.C., as Administrative Agent,

Plaintiff,

v.

MURRAY ENERGY CORP., MURRAY  
ENERGY HOLDINGS CO., GLAS TRUST  
COMPANY LLC, and U.S. BANK, N.A.,

Adv. Pro. No. 19-02143

**AGREED ORDER EXTENDING  
RESPONSE TIME AND SETTING  
BRIEFING SCHEDULE [RELATED  
TO DOCKET NO. 24]**

Defendants.

<sup>1</sup> Due to the large number of Debtors in these chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. Such information may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.primeclerk.com/MurrayEnergy>. The location of Debtor Murray Energy Holdings Co.'s principal place of business and the Debtors' service address in these chapter 11 cases is 46226 National Road, St. Clairsville, Ohio 43950.

Upon the stipulation (the “Stipulation”)<sup>3</sup> of the Debtors, Black Diamond Commercial Finance, L.L.C., as Administrative Agent (“Plaintiff”) and Debtor Murray Energy Corp., Debtor Murray Energy Holdings Co., GLAS Trust Company LLC, as administrative agent, and U.S. Bank, N.A., as collateral trustee (collectively, “Defendants”, and together with the Debtors and Plaintiff, the “Parties”) to entry of an order (this “Order”) scheduling certain dates and deadlines to govern the course of the above-captioned adversary proceeding; and this Court having found that notice of the Stipulation was appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Stipulation and sufficient cause appearing therefor, it is

HEREBY ORDERED THAT:

1. The following schedule shall govern the Adversary Proceeding:

- The Defendants’ time, pursuant to Rule 7012, to serve and file an answer or to otherwise respond to the Complaint shall be extended through and including **January 17, 2020**;
- Plaintiff shall have through and including **February 7, 2020** to file any opposition to Defendants’ response/answer to the Complaint, as applicable;
- Defendants shall have through and including **February 21, 2020** to file any reply in further support of its response/answer; *and*
- Plaintiff shall have through and including **January 27, 2020** to file a motion (if any) seeking derivative standing to pursue the claims in the Complaint (the “Standing Motion”).

2. Nothing in the Stipulation or this Order shall be construed to suggest that the Plaintiff’s claims are in fact derivative or that the Plaintiff is otherwise required to file a Standing Motion, and all parties reserve all rights with respect to any and all arguments related to both the Standing Motion and the Plaintiff’s ability to commence and prosecute this Adversary Proceeding.

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<sup>3</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Stipulation.

3. Unless otherwise specifically prescribed herein, all filings addressed by this Order (including pleading deadlines, to the extent not provided for herein) will conform with the Federal Rules of Bankruptcy Procedure, the Court's Local Rules and the Order Implementing Certain Notice and Case Management Procedures [Related to Docket No. 22], Case No. 19-56885, Dkt. No. 113, unless the Parties obtain leave of Court.

4. Notice of the Stipulation as provided therein shall be deemed good and sufficient notice, and the requirements of the Federal Rules of Bankruptcy Procedure and the Local Rules are satisfied by such notice.

5. This Order shall be entered on the consolidated bankruptcy docket and the docket of the Adversary Proceeding.

SO ORDERED.

Copies to: Default List Plus Additional Parties

Andrew Goldman (*pro hac vice*)  
Craig Goldblatt (*pro hac vice* to be filed)  
Benjamin Loveland (*pro hac vice*)  
Christopher D. Hampson (*pro hac vice* to be filed)  
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